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## THE DEMOCRATIC BACKGROUND OF CHINESE CULTURE

By BENOY KUMAR SARKAR

NEW YORK CITY

**I**N spite of the generally acknowledged importance of historic tradition as a pre-disposing force in the political developments of a people, it may be safely asserted that the democratic ideals and republican institutions of Asia in ancient and medieval times, such as they were, can, for all practical purposes, exert no influence on her present-day experiments in nationalism and democracy. The political achievements of the Old Orient are, in fact, of no greater efficacy to the New Asia than the Periclean city-state of twenty thousand free men served by two hundred thousand slaves, the Roman *jus gentium*, the "law of nature" of the Stoicks, the Patristic doctrine of spiritual equality, the Frankish *Champs de Mars*, the Visigothic *officium palatinum*, the *Vehmgerichte* of the Teutons, or the Council of Toledo can possibly be in helping modern Eur-America solve the problems of universal suffrage, the ethics of representation, referendum and recall, public ownership, and sovietic governments. But now that world-reconstruction is being consciously attempted on all hands, and old values are being revalued in every line of human endeavor, it is of the deepest import to practical statesmen and students of culture-history to recognize that the political psychology of the Orientals has been pragmatically uniform with that of the Occidentals both in its strength and limitations. In approaching the East, therefore, in the future the West should not attitudinize itself as to an antithesis, as it was the custom during the last few decades, but as to a "double" or replica and analogue.

The points of affinity between Asia and Eur-America do indeed lie on the surface. Let us confine ourselves to China for the present. On this sub-continent, a veritable museum of humanity, no traveller could have failed to notice, here and there and everywhere, the little nuclei of sturdy self-rule, the so-called village communities. The local authorities of these rural communes entirely administer the affairs of the village or township, metropolitan or provincial officers being conspicuous by their absence. The village council is composed of all the heads

of families. Sometimes its constitution is based on the choice of elders by lot. These folk-moots often exercise the greatest influence in "national" polities. Thus when in 1857 the Imperial Government of China opened the port of Canton to the British it had to encounter the utmost tooth-and-nail opposition of the city council to the measure.

The Chinese have been used to this system of local self-government since the earliest times. The elementary details of such municipal or rural institutions are given in the "Chouli," the text-book of politics compiled from still older sources in the twelfth century B.C. All through the ages the elders of Chinese communes have been elected by local meetings and have held office during good behavior. Even to-day the salaries of these officials are fixed by their peers of the neighborhood, and they are removable whenever the principal persons of the community are displeased with their conduct.

The alderman of the townships has, generally speaking, twofold functions to discharge. First, he is the connecting link between the local people and the higher authorities in matters of administration. He supervises the police, is responsible for the common weal, and enforces the necessary regulations in regard to streets, tanks, markets, festivals, collection of taxes, etc. Secondly, he is a judicial officer, the lowest in the rung of the system for the whole country. The Manchu code provided that all persons having complaints must address themselves in the first instance to the lowest tribunals of justice in the district. The petty questions arising between the men of the locality are thus attended to by the headman, and he is authorized to mete out the proper punishments.

Not less remarkable as testifying to the age-long capacity of the Chinese for collective life in order to promote joint interests are the religious fraternities, secret revolutionary societies, industrial gilds, and trade corporations. The constitution of some of the modern gilds of China is democratic with vengeance. Thus, for instance, the tea-gild at Shanghai has at its head an annually elected committee of twelve. Each committeeman acts in rotation for one month as chairman or manager. No gild member may refuse to serve on this committee. Another gild, that of the millers at Wenchow, is composed of sixteen mill proprietors. A committee of four is selected by them in such a way as to bring each member in his turn on the committee. But the ruling price of the flour each month is settled by the entire craft in conference.

The gilds make their own rules and modify them whenever

necessary. And since they are all voluntary associations owing their origin to no charter or governmental license, one can guess from the gild-rules to what a powerful extent the merchants of China are willing to be bound by the laws of their own making. One of the rules of the tea-gild at Shanghai is thus worded: "Pending litigation with a foreign firm, members of the gild shall transact no business with the delinquent firm; relations are not to be resumed till the case is adjudicated." These ultra-democratic corporations do not in reality stop short of enforcing on their members the greatest possible solidarity of interest. "It is agreed," as we read among the rules, "that members having disputes about money matters shall submit their case to arbitration at a gild meeting, where every effort will be made to arrive at a satisfactory settlement of the dispute. If it prove impossible to arrive at an understanding, appeal may be made to the authorities; but if the complainant resorts to the courts in the first instance he shall be publicly reprimanded, and in any future case he may bring before the gild he will not be entitled to the redress."<sup>1</sup>

The autonomies and immunities enjoyed in this way by the trade-gilds and rural communes of China in matters of legislation and adjudication would be easily recognized as some of the privileges and liberties of the craft gilds and gemots of medieval Europe. One must not suspect, however, that the political genius of the Chinese displayed itself solely in the administration of such parochial entities, the atomistic units of government. The *forte* of the people lay in centralization and unified control as well. In the study of Chinese polity we are familiar not only with the phenomena of feudalistic disintegration, provincial autonomy, *laissez faire*, and home rule, but also with pan-Chinese nationality, *federation de l'empire*, and real *Weltherrschaft*.

Solid political homogeneity was achieved on the Chinese continent on several occasions. The "Son of Heaven" did then become *de facto*, as he always was *de jure*, the *hwangti* or Bartolus's *dominus omnium*, of the whole empire. The supreme government of the Manchus, for example, consisted of two Imperial Councils of deliberative character and six administrative boards. One of the councils, called the general council, organized first about 1730 was composed of any grandees, as princes of the blood, chancellors, presidents and vice-presidents of the six boards, and chief officers of all the other metropolitan courts.

<sup>1</sup> *Journal of the North China Branch of the Royal Asiatic Society*, 1886, New Series, Vol. XXI., pp. 133-192.

The various branches of government were consolidated and their harmonious action facilitated by this agency. It served further to make up for the shortcomings of a degenerate ruler and act as a check on the arbitrary measures of a tyrant. The government and direction of the entire civil service of the Manchu empire were left to the care of one of the boards, called the Board of Civil Office. Similarly the other boards were entrusted with duties concerning all the people of the empire. All this contributed no doubt to administrative unification.

The eighteen provincial governments had, as Williams calculates in the "Middle Kingdom," about 2,000 officers above the rank of the assistant district magistrate. Personal touch with the supreme government was ensured by the rule that every high grade officer had to report himself in writing twice every month. Appeals from the lowest courts of the village elders to the higher tribunals of the provinces and the empire served also as strong centripetal influences. Besides, the system of literary examinations by which all officers were appointed to important posts was thoroughly imperialized. The hierarchy of teachers and examiners from Peking to the villages was complete. The "literary chancellors" of the provinces were, like the civil and military governors, appointed by the emperor himself. Altogether, we have here the picture of a France centralized under the Intendants of Richelieu for an area five or six times as large.

It must not be surmised, however, that the king's power in China was a pure despotism. The Chinese polity was never without a conciliar element, the acts of the king being always subject to the control of the chief ministers. No individual could be appointed to a high post by the emperor alone. The ministers had the right to recommend or present a fit person. The king might indeed reject him, but even this prerogative appears to have been controllable, as may be gathered from Werner's "Chinese Sociology" (p. 52), by the united voice of ministers.

The restraints on the power of the king and the value of the council of ministers in the constitution of the state are strongly borne out by Chinese tradition which can be traced back to hoary antiquity. Thus from the earliest times it has been taught, both by examples and precept, says Meadows in "The Chinese and their Rebellions," that no man whatever had a hereditary divine right to the throne, nor even any son of its last occupant. The "five legendary rulers" (B.C. 2852-2255), whom Confucius has immortalized for his countrymen in the

"Shooking" (Book of History), treated the kingdom as belonging to the nation. The doctrine of the state as public property was forcefully demonstrated, as is known to every Chinese of all ages, when Yao (B.C. 2356-2255), one of the "model kings," selected the worthiest from among the people as his successor.

The political psychology of China is likewise nurtured on the democratic imagination fired by the exemplary conduct of Shoon (B.C. 2255-2205), another of her model kings. He had a tablet placed outside his official residence whereon any one could criticize his administration. Public opinion was thus brought to bear upon his own work. He used also to put questions to the people in the Ming Tang, a sort of national assembly, with special reference to the names of bad characters or undesirable citizens. Participation of the people in the function of government entailed necessarily a check on the royalty itself.

Further, as Simcox makes it clear in "Primitive Civilizations,"<sup>2</sup> it is treated almost as a constitutional principle that when the king of China misbehaves it is the duty of the most virtuous and powerful of the provincial princes to depose and succeed him. There is, for instance, on record the actual confinement of the sovereign Tai Chia by the minister I Yin in a palace at Tung near the ruins of the former king "until he gave proof of reformation." With reference to this incident Mencius (B.C. 373-289), the great Confucian sage, was asked whether worthies being ministers might banish their vicious sovereigns in this way. The reply was given to the effect that if they had the same purpose as I Yin, they might, otherwise it would be usurpation.<sup>3</sup>

To an American whose mentality is normally as far removed from Dante's "De Monarchia" as the modern spectroscope is from Aristotle's optics or the Harveyan circulation of blood from the Galenian physiology, all this is but a poor preparation of Asia for the responsibilities of the modern democracy. True, but the fact remains that monarchy, absolute even when "enlightened" and benevolent, has been the most tenacious and persistent form of government in the occidental world also. Indeed, if Napoleon III. had not been defeated by the Prussians at Sedan, it is an open question if there would have been a republic in France to-day.

Institutionally speaking, then, the political experience of

<sup>2</sup> Vol. II., p. 18.

<sup>3</sup> "Mencius," Book VII., Part I., XXXI.

Asia has not been essentially distinct from that of Europe. What about political theorizing?<sup>4</sup> Here again we find the same parallelism and identity between the East and the West. For instance, to take only China, no political thinker could be more radical than the "superior men" of the Confucian classics. It is often said that Chinese culture is but Confucius "writ large." We need not accept the statement as implying that one abstract word "Confucianism" sums up and explains the whole mentality of entire China. But it may still be maintained that like the "Iliad" and the "Odyssey" of the Hellenes, the "Shooking" and the "Sheking" (Book of Odes) have furnished the *mores* of the Chinese people for over two thousand years. The "Divine Comedy" has not been the bible of Catholic Europe to a far greater extent than the Confucian texts and their commentaries to the upper ten thousands as well as the dumb millions in China.

What, now, are the political tenets of the Chinese classics? The idea of the position of the people as supreme is the cornerstone of the *Shooking* politics. We are told:

It was the lesson of our great ancestor:  
The people should be cherished;  
They should not be down-trodden;  
The people are the root of a country;  
The root firm, the country is tranquil.<sup>5</sup>

Interests of the people are carefully safeguarded in another advice: "Do not oppose the people to follow your own desires."<sup>6</sup>

Passages like these have been handed down from generation to generation, and to-day they are on the lips not only of intellectuals like General Li, Premier Tang and Foreign Minister Wu, but also of the rickshaw coolie and the junk sailors. They know also the maxim that "of all who are to be feared, are not the people the chief?"<sup>7</sup> This is the Chinese version of the saying: "The fear of the people is the wisdom of the lord."

What, again, could be more conducive to the "dignity" of the people than the oft-quoted proverb?—"The great God has conferred even on the inferior people a moral sense, compliance with which would show their nature invariably right."<sup>8</sup> The "Shooking" can be cited also in a campaign of popular sover-

<sup>4</sup> Vide "The Doctrine of Resistance in Hindu Thought" in the author's article on "Democratic Ideals and Republican Institutions in India" in the *American Political Science Review* for November, 1918.

<sup>5</sup> Part III., Book III., Ch. II., 1.

<sup>6</sup> Part II., Book II., Ch. I., 6.

<sup>7</sup> Part II., Book II., Ch. II., 17.

<sup>8</sup> Part IV., Book III., Ch. II.

eighty. As might be naturally expected, the newspaper men of recent times have succeeded in bringing to the forefront the conduct of the king who followed the principle of limited monarchy when he admitted: "I consulted and deliberated with all my ministers and people and they are of one accord with me."<sup>9</sup> There is thus no place for arbitrary rule in the political consciousness of China.

Indeed, *vox populi vox dei* is the first postulate of Chinese political philosophy. A popular maxim was given by Chang in his commentary on Confucius's "Great Learning." It runs thus: "By gaining the people the kingdom is gained, and by losing the people the kingdom is lost" (Ch. X.). The origin of this doctrine of the will of the people is to be traced, as was done by Mencius, to the ancient "Great Declaration," which says: "Heaven sees according as my people see; Heaven hears according as my people hear."<sup>10</sup>

Mencius himself can be cited by advocates of active resistance. For he openly discussed the question, "What fault is it to restrain one's prince?" and his answer was clear: "He who restrains his prince loves his prince."<sup>11</sup>

Mencius is likewise an authority in a case for the deposition of a ruler. According to his advice, if the prince have great faults the relatives ought to remonstrate with him, and if he does not listen to them after they have done so again and again they ought to depose him.<sup>12</sup>

Like Milton, Mencius is a defender of regicide too. The king asked: "May a minister then put his sovereign to death?" Mencius replied:

He who outrages benevolence *proper to his nature* is called a robber; he who outrages righteousness is called a ruffian. The robber and the ruffian we call a mere fellow. I have heard of the cutting off of the fellow, Chow, but I have not heard of the putting a sovereign to death *in his case*.<sup>13</sup>

The logic of Mencius here is similar to that of the most outspoken anti-imperialist of the eleventh century, Manegold of Lautenbauch, who defended the expulsion of Tarquin from Rome on the ground that kingship ceases to be legitimate when it ceases to promote justice. In fact, the Mencian creed is Rousseau-esque in its radicalism. "The most important element in the state," declares this protagonist of Chinese democracy, "is

<sup>9</sup> Part II., Book II., Ch. II., 18.

<sup>10</sup> Mencius, Book V., Pt. I., Ch. V., 8.

<sup>11</sup> Book I., Pt. II., Ch. IV., 10.

<sup>12</sup> Book V., Pt. II., Ch. IX., i.

<sup>13</sup> Book I., Part II., Ch. VIII., 2, 3.

the people; next come the altars of the national gods; least in importance is the king." Further, "By observing the nature of the people's aspirations we learn the will of heaven." In Chinese ethics the divine "sanction" is thus subordinate to the sanction of the demos.

A cynic may reasonably ask: "How much of this philosophical radicalism or intellectual Bolshevism was embodied in actual institutions of the Chinese polity?" The answer would be furnished by a parallel situation in Europe. According to the theory of the lawyers, *e. g.*, Ulpian (second century A.D.), the source of political authority was the people. But from Hadrian to Justinian (117-565) the emperor's will was law. And in the fourteenth century Bartolus (1314-57), the "prince of jurists," was but maintaining the trend of traditional jurisprudence when he affirmed that the Roman Emperor was "*Deus in terris*" and "*sempiter nus*," and that to dispute him was sacrilege. Similarly the modern ideas of natural equality, freedom, justice, etc., can be carried, as has been done by Carlyle in "Mediæval Political Theory in the West," back to Cicero (106-43 B.C.) through the Church Fathers and the Roman jurists. But, for two thousand years slavery was recognized as a lawful and legitimate institution, privileges and inequalities were the norm in socio-civic life, and the divine right of the king was an established fact. It was not until the French Revolution that a legalized constitutional measure was adopted to give effect to the doctrine of natural equality which was first promulgated by the Stoics in opposition to the theory of the Aristotelians. The discrepancy between theory and practise in the political sphere is thus not less occidental than oriental, after all.